



DELAWARE JUDICIARY ADMINISTRATIVE OFFICE OF THE COURTS

Contract Position

Posting #AOC0921K23

Child Attorney

Opening Date: September 22, 2023

Closing Date: October 5, 2023

Salary: \$85.00/hour (\$72,500/yr. prorated cap)

Recruiting For: Office of the Child Advocate

Location: Kent County Family Court, 400 Court Street, Dover, Delaware 19901

Summary Statement:

The Office of the Child Advocate (OCA) is an agency within the judicial branch, charged with safeguarding the welfare of Delaware's children. It accomplishes this mission through advocacy, education, collaboration, and evaluation with a vision of safe and resilient children with supportive families. Statewide, it has 46 employees and contractors and over 400 volunteers. OCA operates out of all three counties.

OCA's Legal Services Division represents approximately 600 children that are experiencing foster care through Child Attorneys and Court Appointed Special Advocates with support from Program Coordinators. OCA's legal services team, through the representation of children, furthers OCA's goals to:

- Provide a voice for children to achieve permanency and justice, and to improve laws and policies that affect children and their families.
- Foster a communicative multi-disciplinary team that builds trust and respect amongst members with a shared goal of improving outcomes for children and families.
- Ensure accountability by examining child welfare data, laws, and policies.
- Develop quality training to increase professional expertise and public awareness. Facilitate access to resources and opportunities for youth.

The Child Attorneys, assisted by Family Crisis Therapists, or OCA Program Coordinators and CASA Volunteers, represent children in DSCYF Custody Proceedings by conducting an independent investigation, conducting discovery, and preparing pleadings, developing, and maintaining a relationship with the child client and collaborating with the OCA Legal Team to achieve permanency for children.

This contract will provide legal representation to children in Kent County Family Court. This contract includes representation in appeals to the Supreme Court. This is an annual contract which is subject to renewal and follows the State fiscal year. The contract will pay an hourly rate of \$85.00 not to exceed \$72,5000 per year, which cap shall be prorated dependent on the start date of the contract. Submission of billable hours pursuant to the OCA billing policy on a monthly basis will be required. The caseload at any point in time will average 40-45 child clients who are parties in Kent County Family Court DSCYF Custody Proceedings.

Essential Functions:

LEGAL REPRESENTATION OF CHILDREN. Provide legal representation to children as a Child Attorney in DSCYF Custody proceedings as follows:

- Conduct an independent investigation of the circumstances of a case of appointment, which shall include but not be limited to interviews, observations of the child and relevant individuals, as well as a review of all relevant records and reports.
- Conduct discovery, prepare and file pleadings, respond to pleadings filed, consult with the attorneys or other parties in the case, prepare for hearings, present evidence to the Court, and participate in all depositions, negotiations, conferences, hearings, related proceedings and appeals.
- Provide copies of all case-related documents and correspondence to the child's legal team in a timely manner.
- Notify the child's legal team of court hearing dates and Court hearing outcomes in a timely manner.
- Consult with the child's legal team on each child regularly, and prior to every Court hearing. Debrief with all members of the team after every Court hearing.
- Explain to the child, taking into account the child's ability to understand the proceedings, the duties of the child attorney, the role of the CASA volunteer, and the rights of the child.
- Ensure regular contact with each child client, considering the age and developmental needs of the child in determining the person, frequency and circumstances of the contact. Absent good cause, the Child Attorney should have contact with older youth (age 10 or older) between hearings.
- Ensure that any age-appropriate child is afforded the opportunity to come to Court, and meaningfully participate in the Court hearing, using the Youth Involvement in Court tools to facilitate participation.
- Appear, when needed, on behalf of a child in related Court proceedings, and apply and advocate for services, including those from the Violent Crimes Assistance Program.

LEGAL REPRESENTATION OF YOUNG ADULTS. Provide legal representation to young adults between 18-21 years who choose to extend Family Court's Jurisdiction as follows:

- Lead discussion on Extended Jurisdiction with youth and obtain youth's consent if it is desired by the youth.

- File the Petition and submit order of appointment for Judge's signature.
- Ensure youth receives Court notices and orders and remind youth of upcoming Court hearings.
- Review Court order with youth and answer any questions.
- Represent the youth's wishes.
- Maintain at least monthly contact with youth in a way that is meaningful to the youth (face to face, phone, video chat, text, etc.).
- Maintain regular contact with Independent Living providers.
- Identify gaps in services and assist in acquiring such services.
- Attend all Court hearings and ensure youth is present, if possible, and have the opportunity to meaningfully participate in the Court proceedings.
- File to terminate Extended Jurisdiction before age 21 when deemed appropriate or as desired by the youth.

ADMINISTRATIVE. Participate in trainings, retreats and contract management to enhance quality legal representation of children.

Preferred Qualification: Please address the preferred qualifications separately on the Minimum Qualifications page of the application. Applicants who do not possess the preferred qualifications will still be eligible for consideration for this position if minimum qualifications are met.

1. Knowledge of the child welfare system and Family Court proceedings.
2. Prior or current representation of the following: a child through the Office of the Child Advocate, a parent in a child welfare proceeding, or the Division of Family Services.

Minimum Qualifications: Please address each item separately on the Minimum Qualifications page of the application. Failure to do so will result in disqualification. Applicants must meet each of the following qualifications. Failure in any one area will result in a rating of "not qualified."

Resumes may not be substituted for the application. Applicants must have education, training or experience demonstrating competence in each of the following areas:

1. Licensed to practice law in the State of Delaware or will be admitted to Delaware Bar by December 31, 2023.
2. Strong commitment to the essential needs and welfare of children.
3. Ability to communicate courteously and professionally, both verbally and in writing.
4. Possession of a valid Delaware Class D driver's license or its equivalent.

Conditions of Employment:

- A satisfactory criminal background check and child protection registry check is required as a contract condition.
- A satisfactory background check with the Delaware Office of Disciplinary Counsel is required as a contract condition.
- Registration as a State of Delaware ESupplier is required as a contract condition.

Submitting Your Application: Visit the website at <http://courts.delaware.gov/career/> and click on "apply" next to the job posting. Then print, or complete and print, the Judicial Branch Non-Merit Employment Application in either Microsoft® Word or PDF format. Applications should

be submitted by any one of the formats listed below prior to the closing date stated on this announcement.

1. Send your application as an e-mail attachment with the words "Application Form" in the subject line to: Apps.AOC@delaware.gov (**preferred method**)
2. Fax your application to: (302) 255-2482, Attention: Human Resources
3. Mail your application to:
Administrative Office of the Courts
The Renaissance Centre
405 N. King Street, Suite 507
Wilmington, DE 19801-3700

Attachments to Applications:

- Please do not submit copies of evaluations, letters of reference, training certificates, or college transcripts unless requested.
- If supplemental information is requested by the posting, be sure to include it when you submit your application prior to the closing date.
- Applications or additional information will not be accepted after the closing date.
- Resumes will not be accepted unless accompanied by the application.

Accommodations:

- Accommodations are available for applicants with disabilities in all phases of the application and employment process. To request an auxiliary aid or service please call (302) 739-5458.
- TDD users should call the Delaware Relay Service Number 1-800-232-5460 for assistance.

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